

BK 1361 P 00242

DEL. JOLLY LAW FIRM

002905

THIS WELL AGREEMENT made this day February 4, 1992, between LARRY G. DICKENS and GAIL B. DICKENS, husband and wife (hereinafter "Grantors"); and KEVIN E. REYER and AMY LOUISE REYER, his wife (hereinafter "Grantees") and UNITED SAVINGS ASSOCIATION OF TEXAS FSB (hereinafter "Noteholder") and A. E. SHUMATE, III, Sole Acting Trustee (hereinafter "Trustee").

W I T N E S S E T H

WHEREAS, the Grantors are the owners of the following described real estate lying and being in the County of Roanoke, State of Virginia, and more particularly described as follows:

√ Lot 14, Block 2, according to the Plat of Waltdon Farms, recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Plat Book 9, page 94.

WHEREAS, Kevin E. Reyer is the owner of the following described real estate which adjoins property of the Grantors on the east lying and being in the County of Roanoke, State of Virginia, and more particularly described as follows:

√ Lot 15, Block 2, according to the Plat of Waltdon Farms, recorded in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Plat Book 9, page 94.

WHEREAS, the Grantors have agreed to convey the right to use the well located on their property to Kevin E. Reyer in exchange for his agreement to share equally in the cost and maintenance of said well.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid by the Grantees to the

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Grantors and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantors do hereby Grant and Convey unto Kevin E. Reyer, his heirs and assigns, an easement to obtain water for domestic purposes from the well located on the hereinabove described property of the Grantors together with the right of ingress and egress to and from said well for the purpose of inspection, maintenance and repair of same.

In exchange for the right of obtain water from the well Kevin E. Reyer, his heirs and assigns, will pay one-half (1/2) the cost of the monthly electric bill for running the pump as well as one-half (1/2) of any maintenance or replacement cost for the well and pump. The Grantors, their heirs and assigns, and the Kevin E. Reyer, his heirs and assigns, will each bear their own expenses for maintaining and repairing the water lines that run to their respective houses.

In the event the well will not produce sufficient water to serve both residences this agreement shall cease and the Grantors will be under no obligation to drill the well deeper in order to provide additional capacity.

WHEREAS, Noteholder is the owner and holder of a note secured by a Deed of trust made by the Grantors dated October 15, 1984, of record in the Clerk's Office of the Circuit Court of Roanoke County, Virginia, in Deed Book 1212, page 1660, and trustee is one of the trustees named in said Deed of Trust and are willing to subordinate the lien thereof to this easement.

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NOW, THEREFORE, Noteholder and Trustee, as evidenced by its signatures hereto, join in this instrument to evidence its agreement to and do hereby subordinate the lien of its Deed of Trust to the easement herein created.

It is specifically understood and agreed that all other terms and conditions of the aforementioned Deed of Trust recorded in Deed Book 1212, page 1660 shall remain in full force and effect.


Amy Louise Reyer wife of Kevin E. Reyer joins herein for the purpose of evidencing her consent to the conveyance herein and to waive any rights she may have to require inclusion of the real estate in the augmented estate of Kevin E. Reyer in the event of his death.

WITNESS the following signatures and seals:


Larry G. Dickens (SEAL)


Gail B. Dickens (SEAL)


Kevin E. Reyer (SEAL)


Amy Louise Reyer (SEAL)

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UNITED SAVINGS ASSOCIATION OF
TEXAS FSB

BY: Don C. Broussard (SEAL)
Don C. Broussard, Vice President
By: _____

A. E. Shumate, III (SEAL)
A. E. Shumate, III
Sole Acting Trustee

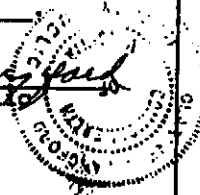
STATE OF VIRGINIA

County of Roanoke

The foregoing instrument was acknowledged before me on
March 5, 1994, by Larry G. Dickens and Gail B.
Dickens.

My commission expires October 31, 1994

Clarice A. Langford
Notary Public



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STATE OF VIRGINIA)
COUNTY OF ROANOKE)

The foregoing instrument was acknowledged before me on
MARCH 5, 1992, by Kevin E. Reyer and Amy Louise
Reyer.



My Commission expires 12-8-92.

Mary G. White
Notary Public

STATE OF ~~VIRGINIA~~ TEXAS)
COUNTY OF HARRIS)

The foregoing instrument was acknowledged before me on
March 10, 1992, by Don C. Broussard,
Vice President (title) of United Savings Association of Texas
FSB, on behalf of same.

My commission expires 7-5-94.

Linda D. Mosk
Notary Public



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STATE OF VIRGINIA
County of Giles }

The foregoing instrument was acknowledged before me on
March 12, 1992, by A. E. Shumate, III, Sole Acting
Trustee.

My commission expires 04-30-95.

Patsy B. French
Notary Public

St. Tax 58.1-801 (039)	\$	_____
Local Tax (213)	\$	_____
Transfer Fee (212)	\$	_____
Clerk's Fee (301)	\$	<u>14.00</u>
VSLF (145)	\$	<u>6.00</u>
St. Tax 58.1-802 (038)	\$	_____
Local 58.1-802 (220)	\$	_____
Total:	\$	<u>15.00</u>

In the Clerk's Office of the Circuit
Court of Roanoke County, Va. this
13 day of March, 1992, this
instrument was presented with the
certificate of acknowledgement annexed
& admitted to record at 12:48.
The tax imposed under Sec. 58.1-802
has been paid.

Teste: William A. Arnold, Clerk